



PATENT

Atty Docket No.: 200312488-1

In The U.S. Patent and Trademark Office

In Re the Application of:

Applicant(s): Robert A Moore et al.

Confirmation No.: 8635

U.S. Serial No.: 10/769,530

Examiner: Eugene H. Eickholt

Filed: January 30, 2004

Group Art Unit: 2854

For: IMAGING SYSTEMS AND METHODS

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF MAILING WITH THE USPTO

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" in compliance with 37 CFR 1.10 on January 18, 2005 and addressed to Commissioner for Patents, Alexandria, VA 22313-1450. The Express Mailing No. is: EV 574104633 US. This correspondence contains the following document(s):

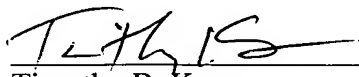
1 sheet of Transmittal Letter for Response/Amendment (2 copies).

2 sheets of Response to Restriction Requirement.

Respectfully submitted,

MANNAVA & KANG, P.C.

On January 18, 2005



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Reg. No. 46,423

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IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Robert A Moore et al.

Confirmation No.: 8635

Application No.: 10/769,530

Examiner: Eickholt, Eugene

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Title: IMAGING SYSTEMS AND METHODS

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
(X) No additional fee
() Other: (fee \$)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	40	MINUS	40	= 0	X \$50	\$ 0
INDEP. CLAIMS	2	MINUS	3	= 0	X \$200	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$360	\$ 0
EXTENSION FEE	1ST MONTH \$120.00	2ND MONTH \$450.00	3RD MONTH \$1020.00	4TH MONTH \$1590.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

"Express Mail" label no. EV 574104633 US

Date of Deposit Jan. 18, 2005

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

By

Typed Name: Timothy B. Kang

Respectfully submitted,

Robert A Moore et al.

By

Timothy B. Kang

Attorney/Agent for Applicant(s)
Reg. No. 46,423

Date: Jan. 18, 2005

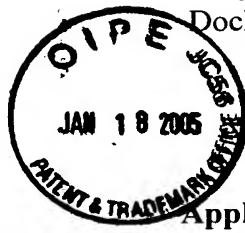
Telephone No.: (703) 652-3817

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Ifw

Docket No. 200312488-1

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RESPONSE TO RESTRICTION REQUIREMENT

In response to the Official Action dated December 20, 2004, the following remarks are submitted.

The aforementioned Official Action appears to indicate that the present application contains claims that are directed to patentably distinct species of the claimed invention. As identified in the Official Action, these species are allegedly defined as:

- Subgroup I: One of surface claims 2 and 37 or claims 3 and 38
- Subgroup II: One of shearing force claims 18, 19, 21, 22, or 27.

A requirement to elect a single disclosed species of the species has been imposed on the basis that the above-identified species are allegedly patentably distinct from each other. In addition, the Official Action has noted that Claim 1 is generic.

In response to that election of species requirement, with respect to Subgroup I, Applicants hereby elect, with traverse, claims 2 and 37. With respect to Subgroup II, Applicants hereby elect, with traverse, claim 18. Therefore, Claims 1, 2, 6-18, 23-26, 28-37, 39 and 40 are readable on the elected claims of the subgroups.

The election is made with traverse, because it is believed that some or all of the claims associated with the non-elected species of this application can be concurrently examined with the claims of the elected species without serious burden. For instance, Claims 3 and 38 pertain to an imaging method and an imaging system, respectively, and only differs from the elected Claims 2 and 37 by the surface claimed. Therefore, a search for the

elements claimed in independent Claims 1 and 36 would encompass a search for Claims 2, 3, 37 and 38. For at least this reason, It is respectfully submitted that no serious burden would result if all of the embodiments of this application were examined concurrently.

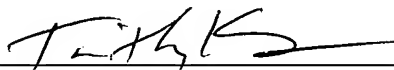
In light of the foregoing, withdrawal of the restriction requirement and examination of all of the claims of this application, including Claims 1, 2, 6-18, 23-26, 28-37, 39 and 40, directed to the elected species above are respectfully requested.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 08-2025.

Respectfully submitted,

Joseph W. Ku et al.

Dated: January 18, 2005



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